

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF FLORIDA

ATLANTIC WINDOW CLEANING, INC.

Plaintiff,

v.

Case No.: 22-60409-CIV-SMITH

RACHEL EULER, et al.

Defendants.

**PROPOSED SCHEDULING ORDER SETTING
CIVIL TRIAL DATE AND PRETRIAL SCHEDULE**

THIS CAUSE is set for trial during the Court's two-week trial calendar beginning on **June 5, 2023**. If case cannot be tried during the two week period, it will be reset for each successive trial calendar until it is tried or resolved. The Calendar Call will be held at **9:00 a.m. on Tuesday, May 30, 2023**. The parties recommend that this case be assigned to a Standard Track. The parties shall adhere to the following schedule.

1. Joinder of any additional parties and filing of motion to amend pleadings	05/27/2022
2. Deadline to designate a mediator and to schedule a time, date, and place for mediation.	08/01/2022
3. Plaintiff shall provide opposing counsel with a written list with the names and addresses of all primary/initial expert witnesses intended to be called at trial and only those primary/initial expert witnesses listed shall be permitted to testify. The parties shall also furnish opposing counsel with expert reports or summaries of its expert witnesses' anticipated testimony in accordance with Fed. R. Civ. P. 26(a)(2). Within the 30 day period following this disclosure, the parties shall make their experts available for deposition. The experts' depositions may be conducted without further Court order.	06/24/2022

4. Defendants shall provide opposing counsel with a written list with the names and addresses of all primary/initial expert witnesses intended to be called at trial and only those primary/initial expert witnesses listed shall be permitted to testify. The parties shall also furnish opposing counsel with expert reports or summaries of its expert witnesses' anticipated testimony in accordance with Fed. R. Civ. P. 26(a)(2). Within the 30 day period following this disclosure, the parties shall make their experts available for deposition. The experts' deposition may be conducted without further Court order.	07/25/2022
5. Exchange of rebuttal expert witness summaries and reports as required by Fed. R. Civ. P. 26(a)(2).	08/12/2022
6. Written lists containing the names and addresses of all fact witnesses intended to be called at trial.	08/12/2022
7. Fact discovery shall be complete by	10/28/2022
8. Expert discovery shall be completed by	10/28/2022
9. Mediation shall be completed by (No more than one month after the close of discovery) (30 days before Calendar Call) ¹	12/16/2022
10. Dispositive motions, including summary judgment, and <i>Daubert</i> shall be filed (at least 4 months before the date for filing the Pretrial Stipulation.)	12/02/2022
11. Deposition designations and counter designations shall be filed (at least 2 months before trial date). The parties shall meet and confer prior to submitting the deposition designations and counter designations in a good faith effort to resolve objections. Failure to comply with deadline and the meet and confer may result in objections being stricken or other appropriate sanctions.	04/04/2023
12. All pretrial motions and memoranda of law, including motions <i>in limine</i> shall be filed. (at least one month before trial date). Prior to filing any motions <i>in limine</i> , the parties shall meet and confer in a good faith effort to resolve any issues. If a party has multiple motions <i>in limine</i> , they shall be filed as a single omnibus motion. All motions <i>in limine</i> and the responses shall be limited to one page per issue. No replies shall be permitted.	04/21/2023

¹ The Parties acknowledge that the proposed mediation date is over a month after the close of discovery. This date, which is three weeks later than the Court would typically prescribe, is proposed in light of Defendants' counsel Jesse Unruh's wife, who is anticipated to give birth on or around early November 2022. However, should the Court require an earlier mediation, the Parties will work cooperatively with deference to the Court's schedule.

<p>13. Joint pretrial stipulation, proposed jury instructions, proposed joint verdict form, and or proposed findings of fact and conclusions of law shall be filed. (at least one month before trial date). When the parties cannot agree on specific jury instructions, the submitted instructions shall clearly indicate which party has proposed the specific instruction. The parties shall meet and confer prior to submitting the deposition designations and counter designations in a good faith effort to resolve objections.</p>	<p>04/28/2023</p>
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Dated: Thursday, March 31, 2022

<p>SHUMAKER, LOOP & KENDRICK, LLP /s/Mindi Richter, Esq. Florida Bar No.: 044827 101 East Kennedy Boulevard, Suite 2800 Tampa Florida 33602 Telephone No.: (813)229-7600 Facsimile No.: (813) 229-1660 E-Mail (Primary): mrichter@shumaker.com E-Mail (Secondary): ldyer@shumaker.com</p> <p>Adria Jensen, Esq. Florida Bar No.: 011690 240 South Pineapple Ave., 10th Floor P.O. Box 49948 Sarasota, FL 34236 E-Mail (Primary): ajensen@shumaker.com E-Mail (Secondary): karase@shumaker.com E-Mail(Secondary): aschaffer@shumaker.com</p> <p>Attorneys for Plaintiff</p>	<p>SPIRE LAW, LLC /s/Jesse I. Unruh, Esq. Florida Bar No.: 93121 2572 W. State Road 426, Ste. 2088 Oviedo, FL 32765 E-Mail (primary): jesse@spirelawfirm.com E-Mail(secondary): sarah@spirelawfirm.com E-Mail(secondary): laura@spirelawform.com</p> <p>Attorney for Defendants</p>
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DONE AND ORDERED in Chambers in _____, Florida this _____ day of _____, 2022.

RODNEY SMITH
UNITED STATES DISTRICT JUDGE

Copies furnished to: All counsel of record via CM/ECF